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## Board of County Commissioners Agenda Request 34

**Date of Meeting:** 12/10/2002

**Date Submitted:** 12/5/2002

**TO:** Honorable Chairman and Members of the Board  
**FROM:** Parwez Alam, County Administrator  
Vincent Long, Assistant County Administrator  
**SUBJECT:** Consideration of Federal Lobbying Services Contract for 2003.

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### Statement of Issue:

This agenda item presents information on the status of the County's federal priorities at the end of the 107<sup>th</sup> Congress and seeks Board action on contracted federal lobbying services for 2003.

### Background:

The issue of contracting with a federal lobbyist to represent Leon County was raised at the FY 01/02 budget workshops of July 24-26, 2001. A subsequent agenda item was prepared per Board direction and an RFP for these services was approved on September 25, 2001. Three federal lobbying firms responded to the RFP, including: Foley & Lardner, Patton Boggs, LLP and Public Strategies, Inc. On November 13, 2002, an agenda item presented the selection committee's recommendation of Patton Boggs, LLP. On November 27, 2001, after receiving additional information about the firm's qualifications, the Board directed staff to contract with Patton Boggs, LLP for the 2002 calendar year (Attachment #1).

At their regular Commission meeting on September 24, 2002, the Board raised questions regarding the Board's current federal lobbying activities. These questions were raised during discussion on an agenda item regarding the selection of a lobbying firm to represent the County for state legislative services in 2003. On October 8, 2002, the Board considered an agenda item presenting information on the status of their 2002 federal appropriation requests. This agenda item also sought Board direction on contracting for federal lobbying services for 2003 (Attachment #2). The Board directed staff to continue the monitoring of Congressional activities for the remainder of 2002 and to bring back an agenda item before the end of 2002 for the Board to consider federal lobbying services for 2003.

### Analysis:

This agenda item presents information on the status of the County's 2002 federal program at the end of the 107<sup>th</sup> Congress and presents an overview of the federal appropriation opportunities that remain ahead in the coming year. Also, this agenda item seeks Board action on contracted federal lobbying services for Leon County in 2003.

### Status Report on the Board's 2002 Federal Appropriation Requests:

Apart from passing bills on defense and military spending and a bill creating the Department of Homeland Security, Congress did not make any significant progress on creating a budget for next year before they concluded the 107<sup>th</sup> Congress on November 22, 2002. In fact, during the last days of their "lame duck" (or post election day) session, Congress passed its fifth continuing resolution. A continuing resolution is an interim funding mechanism that extends existing budget allocations into the new fiscal year for a limited period of time. The continuing resolution that the federal government is now operating under will extend until the beginning of the 108<sup>th</sup> Congress on January 11, 2003.

As a result of this Congressional inactivity on finalizing next year's federal budget, no final action has occurred on a number of the County's outstanding federal appropriation requests for 2002. In fact, representatives of Patton Boggs, LLP, have indicated that they anticipate opportunities for inclusion of any of the County's funding requests into the final 2003 omnibus federal budget bill, including specifically funding for the Ft. Braden Branch Library, to continue through final negotiations in late January. Preparations for the 2004 federal budget cycle will begin in earnest thereafter (Attachment #3).

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Beyond seeking earmarked federal funding for Board priority projects during the budget process in 2002, staff has worked with our current contract lobbyist firm, Patton Boggs LLP, in preparation for seeking significant funding for the widening and improvement of Capital Circle NW/SW from I-10 to the Airport. Funding for this project has been targeted as part of the Transportation Equity Act (TEA-21) re-authorization process scheduled for final passage during the 108<sup>th</sup> Congress late in 2003. The firm has helped develop a strategy, including coordinating lobbying efforts made by the City of Tallahassee's contracted federal lobbying firm, to have this project included for TEA-21 funding. The lobbying cycle for this large appropriation request has already begun and will continue through 2003 (Attachment #4).

Selection of Federal Contract Lobbyist for 2003:

As the final budget for 2003 has not been passed by Congress, nor approved by the President, it is impossible at this time to fully determine the success of our federal contract lobbying firm during the 2002 legislative cycle. However, substantial progress has been made on a number of County priority issues during 2002 by Patton Boggs, LLP. Also, as the 2003 federal budget becomes final over the next few months, planning for the 2004 federal budget (including funding for Capital Circle NW/SW through the TEA-21 re-authorization process) has already begun in earnest between staff and our current firm.

Due to the progress made during 2002, the positive working relationship that has developed between staff and our current federal contract lobbyists, their working knowledge of the County's priorities, and the immediacy for implementing a comprehensive lobbying plan for including the improvement of Capital Circle NW/SW as part of the TEA-21 re-authorization process, staff recommends extending the existing contract with Patton Boggs, LLP at the existing level (\$50,000) for the period of one year. This continuation of service is anticipated to improve the likelihood of the County's success in attaining federal appropriations for Board priorities over the next twelve months.

However, should the Board decide to contract with a different firm upon termination of the existing contract with Patton Boggs, LLP (scheduled to occur on December 31, 2002), staff recommends that the Board do so without issuing an RFP and hire a firm of the Board's choosing. Under this scenario, staff would also recommend that the Board direct staff to immediately begin negotiations of a similar contract for federal lobbying services in 2003 with the selected firm. In either case, smooth continuation of federal contract lobbying representation will be critical to future success in achieving appropriations for County priorities during 2003.

**Options:**

1. Direct staff to extend the current contract with Patton Boggs, LLP, for federal lobbying services for a period of one year (2003) for \$50,000 and authorize the Chairman to sign this contract extension.
2. Do not direct staff to extend the current contract with Patton Boggs, LLP, for federal lobbying services.
3. Direct staff to contract with a federal lobbying firm of the Board's choosing for federal lobbying services for a term and at an amount to be decided by the Board.
4. Board Direction.

**Recommendation:**

Option #1

**Attachments:**

1. Contract with Patton Boggs, LLP for federal lobbying services during 2002.
2. October 8, 2002 Agenda Item, "Consideration of Federal Lobbying Services Contract."
3. November 21, 2002 memorandum from Patton Boggs, LLP.
4. September 9, 2002 memorandum from Patton Boggs, LLP.

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